

109TH CONGRESS
1ST SESSION

H. R. 2857

To require the immediate release, in unclassified form, of all documentation and other information used by the Secretary of Defense to prepare the recommendations submitted to Congress on May 13, 2005, regarding the closure and realignment of military installations in the United States.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2005

Mr. ORTIZ introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To require the immediate release, in unclassified form, of all documentation and other information used by the Secretary of Defense to prepare the recommendations submitted to Congress on May 13, 2005, regarding the closure and realignment of military installations in the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SUSPENSION OF 2005 BASE CLOSURE AND RE-**
2 **ALIGNMENT PROCESS PENDING RELEASE OF**
3 **ALL DOCUMENTATION AND OTHER INFORMA-**
4 **TION USED TO PREPARE INITIAL BASE CLO-**
5 **SURE AND REALIGNMENT RECOMMENDA-**
6 **TIONS.**

7 (a) **RELEASE REQUIRED.**—Not later than the end of
8 the 10-day period beginning on the date of the enactment
9 of this Act, the Secretary of Defense shall certify to Con-
10 gress that the Secretary has—

11 (1) complied with section 2903(c)(4) of the De-
12 fense Base Closure and Realignment Act of 1990
13 (title XXIX of Public Law 101–510; 10 U.S.C. 2687
14 note), as applicable to the 2005 base closure and re-
15 alignment process by section 2914(b)(1) of such Act;
16 and

17 (2) released, in unclassified form, all docu-
18 mentation and other information used by the Sec-
19 retary of Defense to prepare the recommendations
20 submitted by the Secretary of Defense to Congress
21 on May 13, 2005, regarding the closure and realign-
22 ment of military installations in the United States.

23 (b) **EFFECT OF FAILURE TO TIMELY RELEASE.**—If
24 the Secretary of Defense fails to provide the certification
25 required by subsection (a) before the end of the period
26 specified in such subsection, or the certification specifies

1 a date later than July 1, 2005, as the date by which the
2 Secretary fully complied with paragraphs (1) and (2) of
3 such subsection, the 2005 base closure and realignment
4 process described in subsections (d) and (e) of section
5 2914 of the Defense Base Closure and Realignment Act
6 of 1990 shall—

7 (1) be suspended, regardless of the point at
8 which the Defense Base Closure and Realignment
9 Commission and the President are in the process;
10 and

11 (2) have no further force and effect, unless re-
12 sumed as provided in subsection (c).

13 (c) RESUMPTION OF PROCESS.—If the Secretary of
14 Defense certifies to Congress after the end of the period
15 specified in subsection (a) that the Secretary has complied
16 with the requirements of paragraphs (1) and (2) of such
17 subsection, or if the certification is submitted under such
18 subsection during that period but specifies a date for com-
19 pliance of later than July 1, 2005, the 2005 base closure
20 and realignment process described in subsections (d) and
21 (e) of section 2914 of the Defense Base Closure and Re-
22 alignment Act of 1990 may be resumed as follows:

23 (1) In order to provide sufficient time for the
24 Defense Base Closure and Realignment Commission,
25 the Congress, and affected communities to review

1 and consider the released documentation and other
2 information, the date specified in paragraph (1) of
3 subsection (d) of section 2914 of the Defense Base
4 Closure and Realignment Act of 1990 for the sub-
5 mission of the Commission's report containing its
6 findings and conclusions, based on a review and
7 analysis of the Secretary's recommendations, shall
8 be deemed to be the date that is 90 days after the
9 date on which the Secretary provided the certifi-
10 cation.

11 (2) In order to provide sufficient time for the
12 Comptroller General to analyze the Secretary's rec-
13 ommendations, in light of the released documenta-
14 tion and other information, the date specified in
15 paragraph (6) of subsection (d) of section 2914 of
16 the Defense Base Closure and Realignment Act of
17 1990 for the submission of the Comptroller Gen-
18 eral's report shall be deemed to be the date that is
19 45 days after the date on which the Secretary pro-
20 vided the certification.

21 (3) In order to provide sufficient time for the
22 President to review and consider the report of the
23 Defense Base Closure and Realignment Commission,
24 each date specified in subsection (e) of section 2914

1 of the Defense Base Closure and Realignment Act of
2 1990 shall be deemed to be the date that is—

3 (A) 90 days after the date on which the
4 Secretary provided the certification; plus

5 (B) an additional number of days equal to
6 the difference between the date specified in
7 such subsection and September 8, 2005.

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